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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,349	10/23/2003	Albert Santelli JR.	Fram Trak-10	8546

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EXAMINER

LEE, JINHEE J

ART UNIT	PAPER NUMBER
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2831

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/692,349	Applicant(s) SANTELLI, ALBERT	
	Examiner Jinhee J. Lee	Art Unit 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 5-7, 14-16, 20, 21 and 26-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-13, 17-19 and 22-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 5-7, 14-16, 20, 21, 26-28 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group, there being no allowable generic or linking claim. Although, the applicant selected claim 6, claim 6 is withdrawn from further consideration as being dependent on withdrawn claim 5, which is of the non-elected species. Election was made **without** traverse in Paper No. 0105.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the support surface of claims 11,12 and 25 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

3. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

Claim Objections

4. Claim 25 is objected to because of the following informalities:

Claim 25 line 1, the phrase "according to claim 1" has an error. Examiner suggests "according to claim 13" instead to correct the error and avoid insufficient antecedent rejection. (for the purposes of examination, the claim will be interpreted as being dependent on claim 13).

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4 and 8-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kirma (US005126507A).

Re claim 1, Kirma discloses a wire management system comprising:

a channel member (4, hollow tube) having at least one wall defining an interior space;

a cover (71) having at least one wall, the cover for blocking access to the interior space of the channel member;

a shield (73 metal rail and in 70 metallized plastic) disposed within the at least one walls of the channel member and the cover, the shield for reflecting electromagnetic radiation (see figures 1 and 8, column 4 line 18 and abstract).

Re claim 2, Kirma discloses a wire management system, wherein the at least one walls of the channel member and cover are formed from a plastic material (see column 4 lines 18-19).

Re claims 3 and 4, Kirma discloses a wire management system, wherein the shield is formed from a metallic material (see column 4 lines 18-20).

Re claim 8, Kirma discloses a wire management system, wherein the cover comprises detachable cover (see column 3 line 33).

Re claim 9, Kirma discloses a wire management system, further comprising a snap fastening arrangement for retaining the detachable cover to the channel member (see column 3 lines 33-34).

Re claim 10, Kirma discloses a wire management system, wherein the shield includes a first section disposed within the at least one wall of the channel member, and a second section disposed within the at least one wall of the cover (see figure 8 and column 4 lines 18-20).

Re claims 11 and 12, Kirma discloses a wire management system, further comprising means (9, junction element) for fastening the channel member to a support surface (see figure 1).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 13, 17-19 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Auteri (US006143984A) in view of Kirma.

Re claim 13, Auteri discloses a wire management system comprising:

an outer raceway (20) comprising:

a first channel member (20A, 20B, 20C) defining an interior space;

a first cover (36) for blocking access to the interior space of the first channel member;

at least one inner raceway (14, 16) to be contained within the outer raceway, the at least one inner raceway comprising:

a second channel (14A, 14B, 14C for example) member having at least one wall defining an interior space;

a second cover (18) having at least one wall, the second cover for blocking access to the interior space of the second channel member (see figures 2, 3, and 4).

Auteri does not explicitly disclose a shield disposed within the at least one walls of the second channel member and the second cover, the shield for reflecting electromagnetic radiation. However, Kirma teaches of a shield (73, in 70) disposed within the at least one walls of the second channel member and the second cover, the shield for reflecting electromagnetic radiation. (see figures 1 and 8, column 4 line 18 and abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the shield of Kirma on the system of Auteri in order to provide EMF shielding to the wires).

Re claim 17, note that the device of Auteri includes wherein the channel members and covers are formed from a plastic material (see column 5 lines 1-3).

Re claims 18 and 19, note that the device of Kirma teaches of wherein the shield is formed from a metallic material (see column 4 lines 18-20).

Re claim 22, note that the device of Auteri includes wherein the second cover comprises a detachable cover (see figures 2, 3 and 4).

Re claim 23, note that the device of Auteri includes a snap fastening arrangement for retaining the detachable cover to the channel member (see figures 2-4).

Re claim 24, note that the shield of Kirma includes a first section (in 70) disposed within the at least one wall of the second channel member, and a second section (73) disposed within the at least one wall of the second cover (see figures 8 and 12).

Re claim 25, note that the device of Kirma teaches of a means (9) for fastening the first channel member to a support surface (see figure 1).

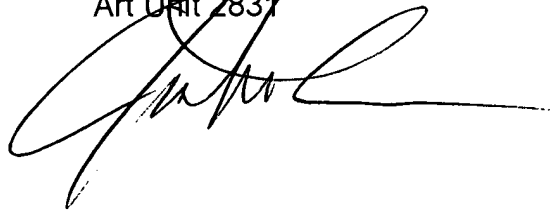
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinhee J Lee whose telephone number is 571-272-1977. The examiner can normally be reached on M, T, Th and F at 6:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean A Reichard can be reached on 571-272-2800 ext. 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jinhee J Lee
Patent Examiner
Art Unit 2831

A handwritten signature in dark ink, appearing to be 'Jinhee J Lee', written over the printed name and title.

jjl